

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION**

ERIC HERNANDEZ, on behalf of
himself and others similarly
situated,

Plaintiff,

CASE NO.: 4:14-CV-00107-HLM

vs.

ALPH OMEGA PROPERTY
MANAGEMENT, LLC.,

Defendant.

_____ /

**JOINT NOTICE OF NO COMPROMISE AND
STIPULATION OF DISMISSAL WITH PREJUDICE**

COMES NOW, Plaintiff ERIC HERNANDEZ, pursuant to Rule 41 of the Federal Rules of Civil Procedure, and files this, his Joint Notice of No Compromise and Stipulation of Dismissal with Prejudice. The parties have settled this matter and have executed a settlement agreement resolving this dispute. Plaintiff brought claims under the Fair Labor Standards Act, and Plaintiff avers that in settling these claims, he did not compromise his claims for wages or liquidated damages under the Fair Labor Standards Act, and that attorneys' fees were negotiated separately. Consequently, Court review of the settlement is not required under Lynn's Food Stores, Inc. v. U.S., 679 F.2d 1350, 1353 (11th Cir. 1982). Plaintiff therefore requests that

the Court dismiss this action in accordance with Rule 41 of the Federal Rules of Civil Procedure, as all parties stipulate to dismissal with prejudice, with each side to bear its own fees and costs.

Respectfully submitted this 22nd day of July, 2015.

/s/TODD K. MAZIAR

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of July, 2015, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF.

/s/ ANGELI MURTHY
ANGELI MURTHY, ESQ.